

10/TB 247

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket: BINDER5A

In re Patent of:	)	Conf. No.: 7159
Yehuda BINDER	)	
Patent No.: 6,970,538 <i>B2</i>	)	Washington, D.C.
Issued: November 29, 2005	)	March 29, 2006
For: NETWORKS FOR TELEPHONY AND DATA COMMUNICATION	)	ATTN: Certificate of Correction Division

*Certificate  
APR 04 2006  
of Correction*

REQUEST FOR CERTIFICATE OF CORRECTION UNDER 37 C.F.R. §1.322  
and §37 C.F.R. §1.323

Honorable Commissioner for Patents  
U.S. Patent and Trademark Office  
Randolph Building, Mail Stop Post Issue  
401 Dulany Street  
Alexandria, VA 22314

Sir:

In checking over the printed copy of the above-identified patent, we have found the following errors, several of which are the fault of the Patent and Trademark Office, and the rest of which are not the fault of the Patent and Trademark Office. It is respectfully requested that these errors be corrected in accordance with 37 CFR §1.323. The errors to be corrected are listed below.

The examiner's amendment that accompanied the Notice of Allowability mailed December 3, 2004, made the following amendments to the application claims:

03/30/2006 JADD01 00000066 6970538  
01 FC:1811 100.00 OP

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Claim 20

- line 2, to delete "Ethernet-based" and replace it with "digital";
- line 9, to insert "digital" before "data" (two occurrences);
- line 11, to delete "Ethernet" and replace it with "digital"; and
- line 13, to insert "digital" before "data".

Claim 27:

- line 2, to insert "digital" before "data".

Claim 28:

- line 2, to insert "digital" before "data";
- line 5, to insert "digital" before "data".

On January 25, 2005, applicant submitted an amendment under 37 C.F.R. §1.312. Such amendment was entered. While application claims 20, 27 and 28 were listed in the listing of claims in the 312 amendment as being "previously presented," lines 2 and 11 of claim 20 inadvertently re-inserted "Ethernet-based" for "digital", and claim 20, lines 9 and 13, claim 27, line 2, and claim 28, lines 2 and 5, inadvertently omitted "digital". Application claims 20, 27 and 28 are now patent claims 1, 8 and 9, respectively. It is requested that:

Claim 1, line 2 (column 12, line 16), be corrected to replace "Ethernet-based" with "digital";

Claim 1, line 11 (column 12, line 25), be corrected to insert "digital" before "data";

Claim 1, line 12 (column 12, line 26), be corrected to insert "digital" before "data";

Claim 1, line 15 (column 12, line 29), be corrected to delete "Ethernet" and replace it with "digital";

Claim 1, line 19 (column 12, line 33), be corrected to insert "digital" before "data";

Claim 3, line 1 (column 12, line 51), be corrected to delete "2" and replace it with "1";

Claim 8, line 2 (column 12, line 65), be corrected to insert "digital" before "data";

Claim 9, line 2 (column 13, line 9), be corrected to insert "digital" before "data";

Claim 9, line 6 (column 13, line 13), to insert "digital" before "data".

When the changes are considered, it will be clear that the errors are of a typographical or clerical error in nature, which occurred in good faith. Correction thereof simply restores changes made by the Examiner and does not involve such changes in the patent as would constitute "new matter" or would require re-examination.

One error that is the fault of the Patent and Trademark Office is the following:

in patent claim 1 at line 13 (column 12, line 27), the clause should read "first and second modems" and not "first

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and second moderns." Application claim 20 (now patent claim 1) was inserted into this application by preliminary amendment of April 16, 2004. Application claim 20, line 12, read "first and second modems" and this term was never amended during the prosecution of the application. This is clearly a printing error on the part of the Patent and Trademark Office.

\* \* \* \*

The following errors are also the fault of the Patent and Trademark Office in that they originated in the Examiner's amendment of December 3, 2004 and did not appear in the subsequent amendment under 37 CFR §1.312 of January 25, 2005:

patent claim 3 at line 1 (column 12, line 51) is dependent from patent claim 2. Application claim 22 (now patent claim 3) was inserted into this application by preliminary amendment of April 16, 2004. Application claim 22 was dependent from application claim 20 (now patent claim 1) and this dependency was never amended during the prosecution of the application;

patent claim 9 at line 3 (column 13, line 10) reads "a plurality frequency division". Application claim 28 (now patent claim 9) was inserted into this application by preliminary amendment of April 16, 2004. Application claim 28, line 4, read "a plurality of frequency division" and this term was never amended during the prosecution of the application;

patent claim 9 at lines 10-11 (column 13, lines 17-18) reads "data unit distinct data channel". Application claim 28 (now

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patent claim 9) was inserted into this application by preliminary amendment of April 16, 2004. Application claim 28, last two lines, read "data unit to a distinct data channel" and this term was never amended during the prosecution of the application;

patent claim 10 at line 2 (column 13, line 20) reads "to a wall a building". Application claim 29 (now patent claim 10) was inserted into this application by preliminary amendment of April 16, 2004. Application claim 29, line 2, read "to a wall of a building" and this term was never amended during the prosecution of the application;

patent claim 22, last line (column 14, line 29) reads "data unit distinct data channel". Application claim 41 (now patent claim 22) was inserted into this application by preliminary amendment of April 16, 2004. Application claim 41, last two lines, read "data unit to a distinct data channel" and this term was never amended during the prosecution of the application;

patent claim 25, line 16 (column 14, line 52) reads "a repeater; bridge". Application claim 44 (now patent claim 25) was inserted into this application by preliminary amendment of April 16, 2004. Application claim 44, line 17, read "a repeater; a bridge" and this term was never amended during the prosecution of the application;

patent claim 34, line 12 (column 16, line 8) reads "wiring segments operative". Application claim 53 (now patent

In re of U.S. Patent 6,970,538

claim 34) was inserted into this application by preliminary amendment of April 16, 2004. Application claim 53, line 13, read " wiring segments is operative" and this term was never amended during the prosecution of the application.

It is therefore further requested that:

Claim 3, line 1 (column 12, line 51), be corrected to replace "2" with "1";

Claim 9, line 3 (column 13, line 10), be corrected to insert "of" before "frequency division";

Claim 9, lines 10-11 (column 13, lines 17-18), be corrected to insert "to a" before "distinct";

Claim 10, line 2 (column 13, line 20), be corrected to insert "of" before "a building";

Claim 22, last line (column 14, line 29), be corrected to insert "to a" before "distinct";

Claim 25, line 16 (column 14, line 52), be corrected to insert "a" before "bridge"; and

Claim 34, line 12 (column 16, line 8), be corrected to insert "is" before "operative".

Attached please find PTO Form 2038 authorizing payment in the amount of \$100.00 to cover the appropriate fee for corrections under 37 CFR §1.323. If insufficient fees are specifically authorized, please charge same to Deposit Account No. 02-4035.

We are also attaching one copy of the Certificate of Correction form.

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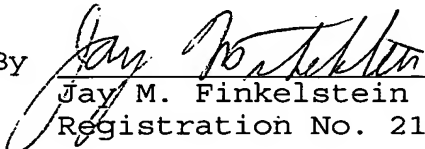
In re of U.S. Patent 6,970,538

Granting of this request is earnestly solicited.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.  
Attorneys for Applicant(s)

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**UNITED STATES PATENT AND TRADEMARK OFFICE  
CERTIFICATE OF CORRECTION**

PATENT NO. : 6,970,538 B2  
DATED : November 29, 2005  
INVENTOR(S) : Yehuda Binder

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

- 1) Claim 1, line 2 (column 12, line 16), delete "Ethernet-based" and insert therefor --digital--
- 2) Claim 1, line 11 (column 12, line 25), insert --digital-- before "data"
- 3) Claim 1, line 12 (column 12, line 26), insert --digital before "data"
- 4) Claim 1, line 13 (column 12, line 27), delete "moderns" and insert therefor --modems--
- 5) Claim 1, line 15 (column 12, line 29), delete "Ethernet-based" and insert therefor --digital--
- 6) Claim 1, line 19 (column 12, line 33), insert --digital-- before "data"
- 7) Claim 8, line 2 (column 12, line 65), insert --digital-- before "data"
- 8) Claim 9, line 2 (column 13, line 9), insert --digital-- before "data"
- 9) Claim 9, line 6 (column 13, line 13), insert --digital-- before "data"
- 10) Claim 10, line 2 (column 13, line 20), insert --of-- before "a building"

**MAILING ADDRESS OF SENDER:**

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PATENT NO. : 6,970,538 B2  
DATED : November 29, 2005  
INVENTOR(S) : Yehuda Binder

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

- 11) Claim 22, last line (column 14, line 29) insert --to a-- before "distinct"
- 12) Claim 25, line 16 (column 14, line 52) insert --a-- before "bridge"
- 13) Claim 34, line 12 (column 16, line 8) insert --is-- before "operative"
- 14) Claim 8, line 2 (column 12, line 65), insert --digital-- before "data"
- 15) Claim 9, line 2 (column 13, line 9), insert --digital-- before "data"
- 16) Claim 9, line 6 (column 13, line 13), insert --digital-- before "data"

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**APR 03 2006**